

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

RODERICK L. BONNER, #1878165	§	
VS.	§	CIVIL ACTION NO. 6:18cv373
PAM PACE, ET AL.	§	

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff Roderick L. Bonner, a prisoner currently confined in the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed his original complaint (Dkt. #1), pursuant to 42 U.S.C. § 1983, seeking to sue prison officials for deliberate indifference to his serious medical needs for the removal of a “medical box”—a storage container for inmate property when the storage lockers are too far above the inmate’s normal reach.

On May 8, 2019, Mr. Bonner filed a motion for an order to direct the LeBlanc Unit to make copies for him. (Dkt. #67). Mr. Bonner’s motion was construed as a writ of mandamus since it appeared to request that the Court use its general powers to compel the LeBlanc Unit to make copies. The motion was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636.

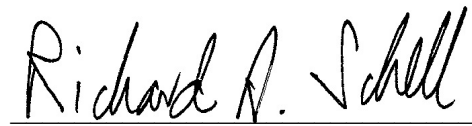
The Report and Recommendation of the Magistrate Judge (Dkt. #70), which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Mr. Bonner filed objections to the Report on May 17, 2019. (Dkt. #73). In his objections, Mr. Bonner states that the LeBlanc Unit refused to make copies of ATCP-05 and that he could afford to pay for the copies, if only the unit will make the copies.

Having conducted a *de novo* review of the objections raised by Mr. Bonner, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the court. It is therefore

ORDERED that the Report and Recommendation on Mr. Bonner's motion for an order to direct the LeBlanc Unit to make copies, construed as a writ of mandamus, (Dkt. #70) is **ADOPTED**. It is further

ORDERED that Mr. Bonner's motion for an order requiring the LeBlanc Unit to make copies, construed as a writ of mandamus, (Dkt. #67) is **DENIED**.

SIGNED this the 17th day of June, 2019.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive, flowing style. The first name "Richard" is written with a large, prominent "R". The middle initial "A." is written in a smaller, simpler script. The last name "Schell" is written with a large, prominent "S" and a long, sweeping tail that extends to the right.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE